



"I will stand for my client's rights.
I am a trial lawyer."
—Ron Motley (1944–2013)

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March 17, 2020

VIA ELECTRONIC MAIL

Via email to ~~x~~ALLDEFENDANTS-MDL2804-Service@arnoldporter.com
All Defense Counsel

Via email to BGary@ReedSmith.com
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McLean, Virginia 22102

RE: *City of Huntington v. AmerisourceBergen Drug Corp., et al.*, Case No. 3:17-cv-01362 (S.D.W.V.)
CT2 Plaintiff Huntington's follow up to March 11, 2020 Meet and Confer

Dear Brent,

This letter is a follow up to our discussions on Wednesday, March 11, 2020 regarding a number of requested Huntington custodians. Prior to the meet and confer we had agreed on 42 custodians, with 23 remaining to discuss. Those requested custodians included:

1. Jim Johnson
2. Skip Holbrook
3. Gene Baumgardner
4. Joe Ciccarelli
5. John Ellis
6. Shane Bills
7. Greg Fuller
8. Justin Antle
9. David Felinton
10. Angie Bracey
11. Mark Bates
12. Joyce Clark
13. Rebecca Howe
14. Charles McComas
15. Tom McGuffin
16. Tonia Kay Page
17. Carol Polan
18. Mike Shockley
19. Alex Vence



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- 20. Jennifer Wheeler
- 21. Russell Houck
- 22. Ted V. Kluemper Jr.
- 23. Robert Wilhelm

In addition to the two police chiefs Huntington has already agreed to, Huntington will produce the custodial files for 3 additional chiefs: Jim Johnson, Skip Holbrook, and Joe Ciccarelli. In consideration of this and as discussed, Huntington maintains that the requested custodial file for Gene Baumgardner is cumulative.

Huntington has already agreed to multiple police chiefs, sergeants, captains, and detectives. Additionally, Huntington will produce the custodial files for Detective Shane Bills. In consideration of this and as discussed, Huntington maintains that the requested custodial file for John Ellis is cumulative.

Likewise, Huntington has agreed to the production of the current fire chief as well as two former chiefs and the deputy chief, Ray Canafax, who has been with the department since 1999. As a result, the request for the custodial files of Greg Fuller and Justin Antle are cumulative.

As discussed, the City of Huntington has agreed to produce the custodial file of the current mayor Steve Williams, thus rendering the custodial file of Angie Bracey (Steve William's executive assistant) cumulative and duplicative. Huntington has also agreed to produce the custodial file of former mayor Roger Kim Wolfe. To the extent there are responsive documents for former mayor David Felinton, Huntington will agree to produce those as well.

With regard to the city council, each member has a City of Huntington e-mail address and correspondence files (per member) kept in the clerk's office. This is in addition to the city council general files which include materials and documents for each meeting, city council minutes, and synopses and agendas that have already been produced. A collection and search yielded no responsive documents in the e-mails or correspondence files for: Joyce Clark, Tom McGuffin, or Russell Houck. Huntington is agreeable to search and produce files for the remaining 9 city council members to the extent they have responsive documents in their files.

Finally, as we discussed, the City of Huntington has agreed to a number of individuals both currently and formerly in financing, purchasing, city manager, and budget director roles. Accordingly, as discussed, the request for the custodial file of Robert Wilhelm as finance director from 2001-2008 is unnecessarily cumulative.

The City has now agreed to produce for 14 additional custodians on top of the 30 already previously agreed to. Plaintiffs have made a reasonable effort in good faith to negotiate these custodians have agreed to produce most of the custodians requested. Please advise if you are willing



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to defer on the above noted requested custodians in effort to continue production expeditiously of those that remain.

With kind regards I remain,

Temitope O. Leyimu

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